

Serial No. 10/671,925

Drawing Amendments

There are no amendments to the drawings.

Serial No. 10/671,925

Remarks

The Office Action mailed 07/05/2005 rejected claims 1-16, 20-32, and 34-49 under 35 U.S.C. §103 (a) as being unpatentable over U.S. Patent Application Publication No. 200/0097866 of P. R. Michaelis (hereafter referred to as Michaelis) in view of U.S. Patent No. 5,724,405 of R. M. Engelke, et al (hereafter referred to as Engelke). Further, the Office Action rejected claims 17-19, 33, and 50-52 under 35 U.S.C. §103 (a) as being unpatentable over Michaelis in view of Engelke and further in view of Patent No. 6,021,178 of M. E. Locke, et al (hereafter referred to as Locke). Claim 34 has been canceled.

Rejection of Claims 1-16 under 35 U.S.C. §103(a) as being unpatentable over Michaelis in view of Engelke

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Without admitting that the first or second criteria are satisfied, the Applicant respectfully asserts that the combination of Michaelis and

Serial No. 10/671,925

Engelke fails to teach or suggest each limitation of the Applicant's claimed invention.

Claim 1 recites:

A method for communicating TTY calls, comprising the steps of:

- detecting a TTY call;
- determining that a digital display on a first telecommunication terminal is to be used to display TTY information of the call from a second telecommunication terminal and that audio information will be transmitted to the second telecommunication terminal;
- converting the TTY information to digital display information;
- transmitting the digital display information to the first telecommunication terminal; and
- muting an incoming call audio path from the second telecommunication terminal to the first telecommunication terminal.

With respect to the step of detecting, the Office Action states that this step is found in paragraph 2 of Michaelis.

Paragraph 2 recites:

Hearing-impaired people communicate over telephone lines by using telecommunication devices for the deaf (TDDs), also known as teletypewriters (TTYs). TDDs resemble portable laptop computers, except that their displays are typically limited to one or two lines of alphanumeric text. TDDs communicate on telephone lines via a standard Baudot communications protocol (asynchronous, no carrier, half-duplex, frequency-shift-keying, 45.45 baud).

Applicant can find no reference to detecting in the text of paragraph 2 as reproduced above.

With respect to the step of determining, the Office Action equates TTD (also referred to as TTY) device 200 and

Serial No. 10/671,925

handset 100 (plus the telephone attached to the handset via cord 107) of FIG. 4 to the first telecommunication terminal of claim 1. The second telecommunication terminal would be placing the call to this first terminal composed of the handset with associated telephone and TTD device via some type of a telecommunication switching system. The Office Action indicates that the determining step is disclosed in paragraphs 2 and 14 of Michaelis. From the above text of paragraph 2, no step of determining is disclosed. Paragraph 14 states:

A user who wishes to transmit by speaking and to receive via TDD 200 places earpiece 102 in acoustic coupler 202 of TDD 200 and holds mouthpiece 104 by his or her mouth via handle 106, as shown in FIG. 4.

Applicant can no reference to determining in the text of paragraph 14 as reproduced above.

With respect to the step of transmitting the digital display information to the first telecommunication terminal, the Office Action fails to discuss this step. Since the Office Action equates the first terminal with TTD device 200 and handset 100 (plus the telephone attached to the handset via cord 107) and the TTD device converts and displays the TTY information digitally, it is not possible to have a transmitting step in the system disclosed by Michaelis and Engelke.

With respect to the step of muting, claim 1 recites "muting an incoming call audio path from the second telecommunication terminal to the first telecommunication

Serial No. 10/671,925

terminal.” The Office Action states that this step is disclosed in paragraph 15. Paragraph 15 states:

Of course, various changes and modifications to the illustrative embodiment described above will be apparent to those skilled in the art. For example, the earpiece may include a device at the input to the speaker that automatically mutes the sidetone path when the TDD is transmitting through the mouthpiece, so that users will not hear the Baudot tones that are emitted by their TDDs while they are typing. Such changes and modifications can be made without departing from the spirit and the scope of the invention and without diminishing its attendant advantages. It is therefore intended that such changes and modifications be covered by the following claims except insofar as limited by the prior art.

Clearly, Michaelis does not disclose muting the audio path from the second terminal to the first terminal but only muting sidetone path (which is a feedback path within the telephone attached to the handset) between the mouthpiece and speaker of the handset. Paragraph 15 does not disclose that audio information from the second terminal is being muted.

Applicant respectfully submits that claim 1 is patentable in light Michaelis in view of Engelke under 35 U.S.C. §103(a)

Claims 2-16 are directly or indirectly dependent on claim 1 and are patentable for at least the same reasons.

Rejection of Claims 20-32 under 35 U.S.C. §103(a) as being unpatentable over Michaelis in view of Engelke

This rejection is respectfully rejected. Claim 20 recites:

Serial No. 10/671,925

An apparatus for communicating TTY calls,
comprising:
a computer;
a controller;
a switching network;
a memory;
the computer by execution of a control routine
detecting a TTY call;
the computer by execution of the control routine
determining that a first telecommunication terminal is to
display TTY information received from a second
telecommunication terminal on the digital display of the
first telecommunication terminal;
the controller converting the TTY information to
digital display information; and
the switching network communicating the digital
display information to the first telecommunication
terminal, enabling a first audio call path to the second
telecommunication terminal, and disabling a second
audio call path from the second telecommunication
terminal to the first telecommunication terminal.

Claim 20 is patentable for the same reasons as set
forth respect to claim 1. In addition, Michaelis and Engelke
separately or together do not disclose or suggest a computer
detecting a TTY call. Further, Michaelis and Engelke
separately or together do not disclose or suggest a computer
determining that a first telecommunication terminal is to display
TTY information received from a second telecommunication
terminal on the digital display of the first telecommunication
terminal. Finally, Michaelis and Engelke separately or together
do not disclose or suggest a switching network communicating
the digital display information to the first telecommunication
terminal, enabling a first audio call path to the second

Serial No. 10/671,925

telecommunication terminal, and disabling a second audio call path from the second telecommunication terminal to the first telecommunication terminal. In summary, such a computer and switching network are not disclosed or suggested by Michaelis and Engelke separately or together.

Applicant respectfully submits that claim 20 is patentable in light Michaelis in view of Engelke under 35 U.S.C. §103(a)

Claims 19-32 are directly or indirectly dependent on claim 20 and are patentable for at least the same reasons.

Rejection of Claims 35-49 under 35 U.S.C. §103(a) as being unpatentable over Michaelis in view of Engelke

This rejection is respectfully rejected. Claim 35 is patentable for the same reasons as set forth respect to claim 1. In addition, Michaelis and Engelke separately or together do not disclose or suggest processor-executable instructions for performing the operations of claim 35.

Applicant respectfully submits that claim 35 is patentable in light Michaelis in view of Engelke under 35 U.S.C. §103(a)

Claims 36-49 are directly or indirectly dependent on claim 35 and are patentable for at least the same reasons.

Rejection of Claims 17-19 under 35 U.S.C. §103(a) as being unpatentable over Michaelis in view of Engelke further in view of Locke

This rejection is respectfully rejected. Claims 17-19 are directly or indirectly dependent on claim 1 and are

Serial No. 10/671,925

patentable for at least the same reasons since the combination of Locke with Michaelis and Engelke does not make claim 1 unpatentable under 35 U.S.C. §103(a). Note, that the Office Action only relied on Locke for disclosing a voice message system.

Rejection of Claim 33 under 35 U.S.C. §103(a) as being unpatentable over Michaelis in view of Engelke further in view of Locke

This rejection is respectfully rejected. Claim 33 is directly dependent on claim 20 and is patentable for at least the same reasons since the combination of Locke with Michaelis and Engelke does not make claim 20 unpatentable under 35 U.S.C. §103(a). Note, that the Office Action only relied on Locke for disclosing a voice message system.

Rejection of Claims 50-52 under 35 U.S.C. §103(a) as being unpatentable over Michaelis in view of Engelke further in view of Locke

This rejection is respectfully rejected. Claims 50-52 are directly or indirectly dependent on claim 35 and are patentable for at least the same reasons since the combination of Locke with Michaelis and Engelke does not make claim 35 unpatentable under 35 U.S.C. §103(a). Note, that the Office Action only relied on Locke for disclosing a voice message system.

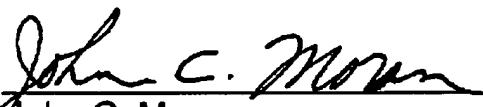
Summary

Serial No. 10/671,925

In view of the foregoing, applicant respectfully requests consideration of reconsideration of original claims 1-33 and 35-52 and allowance of these claims.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call applicant's attorney at the telephone number listed below.

Respectfully,
Paul Roller Michaelis

By 
John C. Moran
Patent Attorney
Reg. No. 30,782
303-450-9926

Date: 09/27/2005

John C. Moran, Attorney, P.C.
4120 115th Place
Thornton, CO 80233